FILED & JUDGMENT ENTERED
Steven T. Salata

Feb 13 2014

Clerk, U.S. Bankruptcy Court
Western District of North Carolina

Laura T. Beyer
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
WILKESBORO DIVISION

RE:	)	CASE NO. 13-50187
	)	
Stephen Douglas Icenhour	)	CHAPTER 13
	)	
	)	CONSENT ORDER
	)	
	)	
Debtor(s)	)	

THIS MATTER came upon this debtor's motion to modify his plan. The sole objection was filed by the chapter 13 trustee. The parties agree to resolve this matter herein:

FINDINGS:

1. The debtor filed his Chapter 13 on March 7th, 2013. The plan was subsequently confirmed.

2. That shown in the plan was a house and land at 922 Plantation Drive, Lenoir NC. 28645. The debtor had agreed to sell said house and land for the sum of $153,000.00 to Maurice Wilson.

3. There are two existing liens on said property: BB&T has a first lien: Trustee claims 4, and 5, Court claim 5. PNC has a second lien: Trustee claims 23, 24, Court claim 29.

4. The debtor obtained approval to sell said property in November 2013. However, the buyer could not come up with the 20% down the lender required and as a result, the deal fell through. Now the debtor surrenders his interest in said real estate.

5. The debtor was unable to procure a bond required by the state of North Carolina to operate an auto sales business. Therefore he has had a reduction in income.

6. An amended schedule I and J have been filed along with an amended business budget.

IT IS THEREFORE ORDERED:

1. The Debtor's plan is modified consistent with the information and the new payment is 2,814.00 for the remainder of the plan, with treatment of the unsecured creditors remaining the same at 1%,

2. Allow BB&T and PNC 120 days to file a deficiency claim, to be treated as a general unsecured claim,

3. That the debtor's attorney is allowed non base attorney fees of $350.00 for the filing and hearing of this motion to be added to and paid through the Plan.

CONSENTED TO:

S/Steven G. Tate
Steven G. Tate, Trustee

S/David E. Bolger
David E. Bolger, attorney for the debtor

This order has been signed electronically. The Judge's signature appears at the top of this order.

United States Bankruptcy Court